

REMARKS

Claims 1-5, 8, 10-17, 22, 27, 33, 39, 42-50, 55-58, 63-66, 69-74, and 79-81 are pending. Claim 15 has been amended to depend upon claim 14. Claims 12, 13, 69, and 70 have been withdrawn.

On page 2 of the Office Action, the Examiner imposed a restriction requirement pursuant to 35 U.S.C. § 121, alleging that claims 12-15 and 69-74 are generic to the following disclosed patentably distinct species:

- (I) an automated teller machine in claims 12 and 69,
- (II) a personal computer in claims 13 and 70,
- (III) a telephone, and
- (IV) a wireless telephone in claims 14, 15, and 71 respectively.

Further, the species are considered independent or distinct because an automated teller machine has features that are not found in a personal computer and/or telephone (e.g., the ability to withdraw and deposit currency). In addition, these species are not necessarily obvious variants of each other based on the current record. The undersigned representative believes that the Examiner intended that species III includes claims 14 and 71, and species IV includes claim 15.

Accordingly, the undersigned representative hereby elects, with traverse, species III, claims 14 and 71, which also now includes claim 15 that depends on claim 14, for examination. Claims 12, 13, 69, and 70 have been withdrawn from the present application, but he undersigned representative reserves the right to file a divisional application covering the subject matter of the non-elected claims.

It is respectfully requested that the Examiner reconsider this restriction requirement. A restriction is only proper when the inventions are independent and distinct. The Examiner asserts that the species are independent or distinct because an automated teller machine has features that are not found in a personal computer or telephone. An automated teller machine, a personal computer, and a telephone have some varying features, but also have some common functionality, some of which is discussed in the generic claims. Further, due to the years of examination whereby these claims were not subject to a restriction, it is believed that the claims should not now be subject to a restriction.

This application was filed in January 1999 with claims 12-15 and 69-71 substantially in their present form. After years of examination by the Examiner, there has never been a previous

need for a restriction requirement. As a result, it is difficult to understand why the need for a requirement has now occurred. *See* MPEP 811.

Additionally, in the Office Action mailed on September 30, 2011, the Examiner rejected each of these claims by applying the same references. Such a rejection is further evidence that there is no burden on the Examiner and that these claims did not previously appear independent or distinct. Therefore, it is requested that the Examiner reconsider and withdraw the restriction requirement.

CONCLUSION

The undersigned representative respectfully submits that this application is in condition for allowance, and such disposition is earnestly solicited. If the Examiner believes that the prosecution might be advanced by discussing the application with the undersigned representative, in person or over the telephone, we welcome the opportunity to do so. In addition, if any additional fees are required in connection with the filing of this response, the Commissioner is hereby authorized to charge the same to Deposit Account 19-3140.

Dated: April 16, 2012

Respectfully submitted,

By: /Eric Sophir, Reg. No. 48,499/

Eric Sophir
Registration No. 48,499
SNR Denton US LLP
1301 K Street, NW
Suite 600, East Tower
Washington, DC 20005
(202) 408-6470